

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

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November 30, 2021

VIA ECF

The Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Chief Judge Swain,

We write to respectfully request that the Court postpone¹ the status conference scheduled for December 2, 2021 at 10:00 a.m. (dkt. entry 398). The development of an agenda for the status conference revealed that there are certain issues that would benefit from additional time for the Parties to meet and confer about before potentially raising these issues with the Court. Further, the Monitoring Team has recently requested and received additional information regarding certain data contained in our November 19 Status Report (dkt. entry 420) that must be evaluated to determine whether additional information may need to be supplied to the Court. In short, the Monitoring Team believes that the Monitoring Team and the Parties would be better positioned to meaningfully participate in the status conference if it is postponed. Finally, to the extent the status conference is postponed, the additional time will allow the Parties, and the

¹ The Monitoring Team respectfully requests the conference be rescheduled to one of the following dates: December 14, 15, 16, or 20.

Court, the necessary time to digest the Twelfth Monitor's Report that will be filed this week.

The Monitoring Team has discussed this request with the Parties and counsel for the City and the United States have consented. Counsel for the Plaintiff Class have advised the Monitoring Team that they believe the status conference should proceed as scheduled and will outline the basis for that position in a separate submission to the Court. Assuming the status conference is postponed, the Monitoring Team requests that the status conference is conducted virtually. Further, if the Court would like, the Monitoring Team would be happy to facilitate the development of a joint agenda with all the Parties for the status conference and provide such agenda to the Court at least one business day before the status conference.

Sincerely,

s/ Steve J. Martin

Steve J. Martin, *Monitor*

Anna E. Friedberg, *Deputy Monitor*

Christina Bucci Vanderveer, *Associate Deputy Monitor*